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ABSTRACT

This guidebook was written to provide information to high school students on Title IX, the Federal law prohibiting sex discrimination in educational programs. The booklet outlines student rights and responsibilities under the law and answers common questions regarding its provisions. Specific rights discussed include the student's rights in choosing classes, enrolling in coeducation classes, receiving counseling and placement services, receiving equal treatment in school, and participating in athletics. A brief checklist of student rights under Title IX and suggested methods for dealing with grievances are included. (MK)

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A Student guide to title IX

Office for Sex Equity in Education
Michigan Department of Education

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U.S. DEPARTMENT OF HEALTH,
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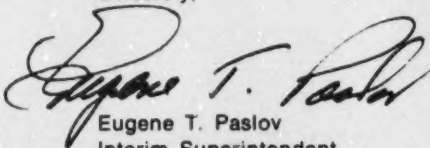
FOREWORD

This publication outlines the rights and responsibilities of students under Title IX, the law prohibiting sex discrimination in educational programs which receive federal financial assistance. It is the second in a series of publications which support the State Board of Education's expressed goal of eliminating and preventing discrimination based on sex in educational programs and activities.

This booklet has been designed specifically to provide information on Title IX for high school students. It is my hope that you will carefully review this document and initiate efforts to distribute this information to interested students, their parents and school staff.

Our challenge to prepare students to meet their full potential in an educational environment free of sex role stereotyping continues.

Sincerely,

A handwritten signature in dark ink, appearing to read "Eugene T. Paslov". The signature is fluid and cursive, with the first name "Eugene" being the most prominent part.

Eugene T. Paslov
Interim Superintendent
of Public Instruction

October, 1979

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LOSE IT?

What does it mean to lose your shirt? You've probably heard this expression before. To us it means that you miss out on something — that you lose a lot! Maybe it's a chance to try out for a part in the school play or make the varsity team. Perhaps it's losing an opportunity to enroll in a class or prepare for a career you have always thought about. Or maybe it's missing out on landing that after-school job you wanted so you could have some extra cash.

No matter what, it's important not to "lose your shirt" in school! Not exploring your interests or not taking advantage of opportunities in school that you want to, is one sure way of "losing your shirt."

YOUR RIGHTS IN SCHOOL

One way you can be sure you won't miss out on something you'll regret later is to exercise your rights and responsibilities right now as a student. All students *do* have rights as citizens of the United States. All students *do* have a right *not* to be discriminated against on the basis of sex. Under a special law you are protected against being treated unfairly simply because you're a young woman or a young man. This law is called Title IX.

This booklet tells you about your rights and responsibilities as a student under Title IX. It was written especially for you — for students — to make certain you don't "lose your shirt" by failing to know what your rights are, or not knowing how to use these rights as a student.

YOUR RESPONSIBILITIES IN SCHOOL

Knowing your rights under Title IX is one important thing. It is just as important to realize that you have responsibilities under Title IX that go with your rights. This responsibility involves you and others. Your first responsibility to yourself is to become aware of your rights under the law. But you are also responsible for protecting these rights for yourself, your friends and classmates. Finally, as a member of a school community, you are responsible for being fair, honest and reasonable in exercising your rights under Title IX.

WHO CARES ABOUT STUDENT RIGHTS?

In the past many students have not been able to explore careers or choose a class they were really interested in. There were several reasons for this. One of them was that the schools just assumed that young men, for example, would be interested in certain things, and that young women would be interested in others. Sometimes students were not even aware that they could join an after-school activity or qualify for a scholarship. They just thought that because either only girls or only boys were doing something, that they couldn't participate if they weren't the same sex. Sometimes a teacher or a counselor also gave them this impression.

A number of educators, legislators, parents and other people felt that this impression being given to students was wrong. Students could "lose their shirts" if they weren't guaranteed the right to study and to participate in all

school functions — not just those classes and activities which others felt just boys should join, or in which only girls should participate. These people also felt that since the world was full of women and men working, living, planning, thinking and doing things together, that schools ought to provide similar coeducational opportunities for young adults such as yourself.

Since 1954 then, there have been federal and state laws which have prohibited discrimination on the basis of race, color, national origin, English language proficiency or sex. Title IX deals specifically with sex discrimination in education.

In 1972 to ensure that all educational programs and activities were open to all students, and that students were not treated differently on the basis of their sex, Title IX of the Education Amendments Act of 1972 was passed.

WHAT IS TITLE IX?

Title IX is a federal law which prohibits schools from discriminating on the basis of sex. It means that your school cannot treat young men and women differently just because of their sex.

If you think there is any sex discrimination in your school, Title IX gives you the right to say so by filing a grievance and getting an answer to it. This law also requires your school district to have a Title IX Coordinator. This is a person in charge of making certain your rights under Title IX have not been violated. You should talk to your Title IX Coordinator if you think there is sex discrimination in your school. The Title IX Coordinator can also give you more information about the law and the rights you have as a student protected by Title IX.

WHAT ARE MY RIGHTS AND RESPONSIBILITIES?

Title IX outlines several rights and responsibilities you have as a student. Because schools are concerned with the issue of sex discrimination, it is your responsibility to bring to their attention any matter which they may have overlooked. Running a school is a busy, detailed operation, and it is not an easy task to make certain that the rights of all students are protected every minute of every school day. Therefore your first responsibility as a student in the school community is to assist school officials who are committed to providing equal educational programs for students.

Title IX is broken down into five areas. All of these areas affect you as a student.

—THE RIGHT TO TAKE ANY CLASS YOU WISH—

Title IX protects your right to enroll in any class of your choice. When you are preregistering for classes or choosing classes from a schedule, you have the

right to take any class you wish. Prerequisites may be established for specific classes as long as they apply equally to the entire student body.

- vocational education courses
- advanced placement courses
- Co-op programs
- music classes
- physical education classes
- home economics programs
- industrial arts programs
- technical courses

Title IX protects your right to be *treated* equally in these classes.

- same assignments
- same class activities
- same use of materials, equipment, facilities
- same grading standards
- same graduation or completion standards

FOR EXAMPLE . . . If your teacher gives extra credit in your classes, both boys and girls must be able to get extra credit.

. . . If the counseling department at your school arranges for some job interviews with employers in your city, then both girls and boys must have an opportunity to be scheduled for an interview.

. . . If the science department is offering an enrichment program after school, both boys and girls are eligible to participate.

—THE RIGHT TO COEDUCATION CLASSES—

Title IX provides that all classes must allow boys and girls to be in the same class. There are just a few exceptions to this rule. Girls and boys may be separated when . . .

- parts of a class deal with human sexuality
- students in music classes are grouped by vocal range
- parts of gym class involve bodily contact
- parts of gym class are grouped by ability, resulting in only boys or girls being in such groups.

FOR EXAMPLE . . . If you will be spending three days in your health class talking about birth control, the members of the class can be separated for those three days.

- ... If your gym teacher is asking students to demonstrate how to guard an opponent in basketball, boys and girls may demonstrate this technique in separate groups.
- ... If you are having a six-weeks swimming unit in gym class, both boys and girls must swim in the pool together.

—THE RIGHT TO EQUAL COUNSELING AND PLACEMENT SERVICES—

Title IX clearly upholds your right to receive advice, counseling, and information that does not reflect different treatment or a preference on the basis of one sex or the other sex. Title IX guarantees that all students receive:

- same vocational training opportunities
- same placement services and placement opportunities
- same counseling services
- same student employment referral services
- same scholarship and financial aid information
- same testing and evaluation services
- same requirements for eligibility, screening and admission to school programs and school activities

Under the law you also have a right to request and receive written information that does not reflect different treatment of men and women. Examples of such written information include:

- descriptions of courses and classes
- student handbooks
- career and vocational guides
- career interest tests
- aptitude tests
- college and junior college information
- apprenticeship opportunities
- student rules for behavior
- student dress codes
- rules for married students
- rules for teenaged parents

FOR EXAMPLE ... Since Title IX prohibits your school from offering separate classes for girls and boys, the listing of available classes must not say "for girls" or "for boys."

- ... If you want to take a test to enter an advanced math course, both boys and girls must be given the same test and graded the same way.
- ... If an army, navy, or marine recruiter is coming to your school to talk to students about the program, both girls and boys must be notified of the visit and eligible to sign up to talk to the recruiter.

—THE RIGHT TO BE TREATED EQUALLY—

Under Title IX all students are to be treated the same. This means that there can be no different rules, policies or practices for students on the basis of sex. Title IX does protect the privacy rights of students by providing for separate, comparable locker rooms and toilet facilities. All students should be guaranteed under Title IX that there are

- same rules for behavior
- same rules for discipline
- comparable rules for dress
- same rules for dismissal and suspension from school
- same use of school facilities
- same chance to join after-school activities
- same chance to participate in special school programs
- same chance to participate in enrichment programs
- same health and insurance benefits

FOR EXAMPLE . . . If your school requires all girls with certain hair length to wear a bathing cap, it must also require all boys with the same hair length to wear a bathing cap.

. . . If your school has a "no smoking" rule, and it is broken, both girls and boys must be punished the same way.

. . . If your school offers a health insurance program for athletes, both boys and girls must be able to participate in the health insurance program.

. . . If your school has only one weight or training room, both girls and boys must be able to use it.

—THE RIGHT TO PARTICIPATE FULLY IN ATHLETICS— INTRAMURAL PROGRAMS AND CLUB SPORTS

Title IX requires that both young men and women will have an equal opportunity to participate in school athletic, club or intramural activities. There are several important parts of the athletic section of Title IX that you should be aware of.

Under Title IX your school has a choice on how it will run the athletic program and what sports will be offered to students. A school has *three choices* it can make. It can choose to offer all separate teams for girls and boys. Or it can choose to offer all coed teams. Or it can choose to offer a combination of teams, with some separate teams and some coed teams. Whatever choice a school makes, it must follow one rule which is outlined in Title IX: That rule states that the interests and abilities of all students must be taken into consideration. That rule means that whatever way your school decides to run its athletic program, the interests and abilities of *both* boys and girls must be served.

Schools Which Choose Separate Teams

Most schools have chosen to offer separate teams in the athletic program. Schools can make this choice to have separate teams when it is a contact sport or when students have to try out for a place on the team. Those schools which offer separate teams feel that having one team for the girls and one team for the boys is the best way to serve the interests and abilities of all their students. Those schools which have chosen to offer separate teams must be sure that the boys' and girls' programs are comparable.

Schools Which Choose Coed Teams

Very few schools have chosen to run their athletic program this way. However, under Title IX, this is one available choice. The reason why many schools do not choose this kind of athletic program is that the interests and abilities of most students cannot be served. In contact sports like basketball, for example, it is possible that the interests and abilities of neither the girls nor the boys would be served by having just one coed basketball team.

Schools Which Choose Some Separate and Some Coed Teams

Some schools have chosen to include separate teams and coed teams in their athletic program. If the interests and abilities of one sex of students have not been met, schools can choose either a separate team or a coed team to offer to students. For example, if several girls want to run cross-country and their athletic opportunities have been limited, the school could choose to have a separate cross-country for the girls, or choose to let the girls try out for the boys' cross-country team. Those schools which choose to have a combination of separate and coed teams have found that often coed teams are a good way to serve the needs of students when there are not enough students to form a separate team or not enough money to fund a separate team.

Here are some questions that students often ask about their rights under the athletic section of Title IX:

- Q.** Can my school offer separate athletic teams for boys and girls?
- A.** Yes. If your school's athletic program includes a contact sport like wrestling, basketball or football, your school may separate teams for boys and girls. Also, if you have to try out for the team, your school may provide separate teams.
- Q.** Can girls try out for the boys' team?
- A.** Yes. If the school feels that the athletic opportunities for girls have been limited in the past, and if the sport involved is a non-contact sport, the school has no choice. When there is only one team offered, girls must be allowed to try out for the boys' team.
- Q.** Can boys try out for the girls' team?
- A.** Yes. If the school feels that the athletic opportunities for boys have been limited in the past, and if the sport involved is a non-contact sport, the school has no choice when there is only one team offered. Boys must be allowed to try out for the girls' team.

In many schools boys are not allowed to try out for the girls' team because many schools feel that the athletic opportunities for boys have not been limited in the past. Most schools feel that the athletic programs for boys have been developed and offered lots of opportunities already. So, many schools have prohibited boys from trying out for the girls' team.

- Q.** Do boys and girls have to have the same sports?
- A.** No. Your school has the right to decide what sports will be offered for girls only, for boys only and for both boys and girls. In making the decision the school must try to serve the interests and needs of all students, and not favor the interests of just the girls, or the interests of just the boys.
- Q.** Do men have to coach boys' teams and women have to coach girls' teams?
- A.** No. When your school hires a coach or supervisor for any athletic, intramural or club sport, they *cannot* consider the sex of the coach. Coaches must be selected on their qualifications and coaching skills, and not on the basis of sex. It is against the law to hire and choose a coach because there will be all boys on the team, or all girls on the team.
- Q.** We have a separate boys' tennis team and a separate girls' tennis team. Last year the boys got new sweat suits and could buy their shoes for a special discount rate at the downtown store. The girls are still wearing T-shirts we had made for the team last year, and we are not able to get the special rate to buy tennis shoes. This doesn't seem fair to me. Is it?
- A.** Title IX requires that *comparable* equipment, travel allowances, use of facilities, publicity, supplies and uniforms be provided for girls' and boys' teams. In this case, it appears as if you would have a reason to contact your Title IX Coordinator and discuss a grievance. T-shirts and sweat suits are not comparable. Furthermore, the special discount rate for the purchase of tennis shoes is a benefit which under Title IX must be offered to all students, not just girls or just boys.
- Q.** What other things must be comparable for boys' and girls' teams?
- A.** Under Title IX the following things are listed as comparable areas:
- equipment
 - supplies
 - uniforms
 - coaching and academic tutoring
 - medical services
 - training facilities and rooms
 - training services
 - publicity done by your school
 - locker rooms
 - use of the gym
 - use of the practice fields and areas

If you have any further questions about the athletic section of Title IX, you

should contact your title IX Coordinator who can explain more of the details of your rights under this section of the law.

COULD YOU BE LOSING YOUR SHIRT?

Briefly there are five rights guaranteed under Title IX which are listed below. Each has a box where you can mark "yes" or "no." If you think of any examples or situations where these rights are being violated — either your rights or the rights of another person you know at school — put a check in the "yes" box.

A CHECKLIST OF YOUR RIGHTS UNDER TITLE IX

	YES	NO
1. The right to take any class you wish?	☐	☐
2. The right to coeducation with students of your opposite sex?	☐	☐
3. The right to equal counseling and placement services?	☐	☐
4. The right to be treated equally?	☐	☐
5. The right to participate equally in the athletic, club and intramural activities and programs?	☐	☐

If you marked "yes" in any of the boxes above, you may be "losing your shirt" by not exercising your rights under Title IX! What can you do?

TALK...

One of your first responsibilities to yourself and to your school is to discuss the matter. Talk to your Title IX Coordinator or your principal. Share your impressions of the situation with a friend, your parents, or a supportive teacher. Tell them what you think. Explain what you feel should be fair and equal treatment in your particular case at your school.

THEN ACT...

After talking with school officials, decide if you should file a Title IX grievance. The Title IX Coordinator can give you a copy of the grievance procedure which every school is required to have. Follow this procedure carefully. When you file a grievance, your case must be heard and you must receive a response to it.

If you feel very strongly that your grievance should also be brought to the attention of people outside the school system, you can file a complaint with the Office for Civil Rights in Washington, D.C. The Title IX Coordinator at your school has the address for the Office in Washington.

RESPONSIBLY!

You have a right to a non-sexist education. As a young adult you also have a responsibility to act fairly, honestly and reasonably in exercising this right.

Here are a few guidelines you should keep in mind if you discover that there is sex discrimination at your school.

REMEMBER . . . Most of your teachers, counselors and administrators at your school do not want to take away your rights as a student. They may not be as knowledgeable as you are about Title IX and the issues of sex discrimination. It is your responsibility to assist them in bringing the school into compliance with Title IX and protecting your rights and the rights of others.

REMEMBER . . . Actions, practices and policies in your school that contribute to sex discrimination are *not* intentional. They result from a long history of social attitudes and people's feelings that the sexes ought to be treated differently. People are often not aware that what they may be saying or doing is against the law or biased against one sex. They just have not thought about it too much.

REMEMBER . . . Express to others how you feel about treating students equally. Listen respectfully to what others have to say about this. Being rude or hostile or belligerent is *not* a responsible way of exercising your rights.

REMEMBER . . . It's O.K. for people to disagree! It's not O.K. for people to break the law.

REMEMBER . . . Turn to those principals, counselors and teachers who believe strongly in the idea of equal educational opportunity for all students, regardless of their sex or race. They will help you.

If you or your parents would like more information about Title IX and your rights as a student, please contact:

Michigan Department of Education
Office for Sex Equity in Education
PO Box 30008
Lansing, Michigan 48909
(517) 373-3497

TITLE IX SAYS THAT . . . No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

The name of the Title IX Coordinator is _____

The Title IX Coordinator's telephone is _____

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